

[ALL COUNSEL LISTED ON SIGNATURE PAGE]

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

MALICO, INC.,

Plaintiff,

v.

COOLER MASTER USA INC. and LSI LOGIC
CORPORATION,

Defendants.

Case No.: 3:11-cv-04537 RS

**STIPULATION AND ~~PROPOSED~~
ORDER GRANTING JOINT MOTION
FOR ADMINISTRATIVE RELIEF**

COOLER MASTER USA INC.,

Counter-claimant,

v.

MALICO, INC.,

Counter-defendant.

Plaintiff Malico Inc. ("Malico") and Defendants Cooler Master USA Inc. ("Cooler Master") and LSI Corp. ("LSI"), by and through their respective counsel of record, stipulate as follows:

During the deposition of Robert Liang, an issue arose that ultimately prevented the deposition from continuing. Counsel for the parties have met and conferred to attempt to resolve the issue to allow settlement discussions to continue, but were unsuccessful. Malico contemplates filing STIPULATION AND [PROPOSED] ORDER GRANTING JOINT MOTION FOR ADMIN. RELIEF

1 a motion that if granted or denied would resolve the dispute. An expedited schedule for the Malico's
2 motion is necessary because neither can settlement discussions continue nor can the litigation go
3 forward as contemplated by the Case Management Scheduling Order until the current dispute is
4 resolved. Therefore, the parties respectfully ask the Court to order as follows:

- 5 (1) Malico shall file its motion including points and authorities and any supporting papers
6 within one court day of receiving the Court's order on the Joint Motion for
7 Administrative Relief. The motion shall not exceed three pages;
- 8 (2) Defendants shall file their opposition and any supporting papers within two court
9 days of service by ECF of Malico's motion to disqualify. The opposition brief shall
10 not exceed three pages;
- 11 (3) The Court may rule on the motion without the need for a hearing unless the Court
12 determines that a hearing would assist the Court;

13
14 In the alternative, the parties request that the Court set a telephone conference to discuss how
15 the dispute may be expeditiously resolved or take such other action as the Court deems proper to
16 enable this action to proceed.

DATED: May 16, 2013

ALSTON & BIRD LLP

/s/

Elizabeth H. Rader

Yitai Hu (SBN 248085)
yitai.hu@alston.com
Elizabeth H. Rader (SBN 184963)
elizabeth.rader@alston.com
ALSTON & BIRD LLP
275 Middlefield Road, Suite 150
Menlo Park, CA 94025-4008
Telephone: 650-838-2000

Bruce Steven Sostek (*pro hac vice*)
bruce.sostek@tklaw.com
Jane Politz Brandt (*pro hac vice*)
jane.brandt@tklaw.com
THOMPSON & KNIGHT LLP
1722 Routh St., Suite 1500
Dallas, TX 75201
Telephone: 214-969-1751

Attorneys for Defendants and Counterclaimant
COOLER MASTER USA INC. and
LSI LOGIC CORPORATION

DATED: May 16, 2013

WHITAKER LAW GROUP

/s/

John Whitaker

Attorneys for Plaintiff
MALICO, INC.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: 5/20/13



United States District Judge

FILER'S ATTESTATION

I, Elizabeth H. Rader, am the ECF User whose ID and password are being used to file this Stipulation and [Proposed] Order Regarding Case Management. In compliance with General Order 45, paragraph X.B. I hereby attest that John Whitaker has concurred in this filing.

DATED: May 16, 2013

ALSTON & BIRD LLP

/s/

Elizabeth H. Rader